

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 18, 20-23, and 35-36 are pending in the application, with claim 18 being the independent claim. Claims 1-17, 19, and 32-34 were previously cancelled and claims 24-31, 37, and 40-42 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. The title has been amended to more closely describe the inventions of the allowed claims. The amendments do not allow further rejection as set forth in the present Office Action, and thus the amendments would place the case in condition for allowance or in better condition for appeal; do not raise the issue of new matter nor do they present new issues requiring further consideration or search; and do not add new claims without canceling any finally rejected claims.

Claims 40-42 are sought to be cancelled and re-entered as claims 35-37. These claims were previously submitted to the Office in an Amendment and Reply Under 37 C.F.R. §1.111 dated June 4, 2008, but not considered by the Examiner. Support for claims 35-37 can be found, for example, in scheme 7, on page 31 of the originally filed specification. Furthermore, claim 37 is to be cancelled.

Claims 18 and 20-23 were previously allowed in the Final Office Action dated August 12, 2008. Furthermore, as stated in the Advisory Action dated December 18, 2008, claims 35 and 36 "would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims." Subsequently, Applicants believe the rejections under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement (Office Action, pages 3-14) are moot.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Interview Summary***

Applicants thank the Examiner for the interview on January 9, 2009. It was agreed that Applicants will cancel the claims directed to the method of using claimed compounds to treat certain disease states; namely, claims 24-31 and claim 37. It was further agreed with Applicant's cancellation of the method claims, the Examiner would allow the remaining compound and compositions claims as stated in the Advisory Action dated December 18, 2008; namely, claims 18, 20-23, and 35-36.

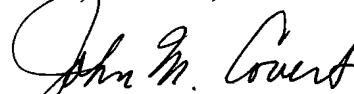
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert  
Attorney for Applicants  
Registration No. 38,759

Date: January 12, 2009

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
925794\_1.DOC